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## Introduction

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As a nexus of interest and emotion on the cellular level of social organization, and as a key referential grid for the social imaginary, family is everywhere.<sup>1</sup> It can be studied as a structure, a process, a cultural construct, and as a discourse. The considerable literature on history of the family in Europe and the United States published over the past four decades, which pushed out in all four directions, has produced fascinating and largely unexpected results and has deeply influenced research agendas in a variety of disciplines.<sup>2</sup> In Middle Eastern Studies one cannot yet speak of family history as a distinct and established field of inquiry, but it is increasingly becoming a strategic site of analysis.<sup>3</sup> This anthology is simultaneously a product of this increasing interest and an introduction to exciting new possibilities for rethinking Middle East Studies.

Family history is a strategic site of analysis, because it demands careful attention to the interplay between micro and macro processes of change, and invites the building of conceptual bridges between materialist and discursive frameworks of analysis: two key challenges currently facing most scholars, especially social and cultural historians. The articles in this anthology are useful precisely because they grapple with the issues raised by these challenges on the level of praxis: i.e., through archival research and/or field work focused on specific times, places, and social groups.

Family history is also an ideal intellectual space for cross-disciplinary conversations, a fertile ground for the emergence of new lines of inquiry. In addition to historians, this anthology brings together scholars from the disciplines of anthropology and demography who are committed to a critical perspective on family, household, and kinship as historically contingent units of analysis. The purpose is neither to provide a schematic overview of the rich diversity of family life in the Middle East nor to present an orderly historical account of change over time. It is much too early for that and, in any case, it is not clear that such a project is desirable, as it might valorize the very assumptions that historians of the family are fond of challenging. Rather, the aim is to provide a cross section of the various thematics, theoretical approaches, methodological issues, and sources currently being explored.

The very centrality of the family also makes it a slippery concept. The flexibility and fluidity of family forms as well as the diversity of household structures within a single setting, not to mention across time and space, wreak havoc with attempts at taxonomies and large-scale generalizations (whether about epochs, regions, or cultures). In addition, the wide range of sources and questions that can be brought to bear on family life means that family can easily be (and has been) used as a convenient vehicle for pursuing different visions and approaches to history and social analysis in general.<sup>4</sup> The articles in this anthology reflect these differences and uncertainties, all the more so considering that most of the authors did not begin their careers with a focus on family history. Hence, their tentative move in this direction carries with it theoretical baggage and topical concerns developed for other purposes. By the same token, however, the flexibility, diversity, and dynamism of family life can be liberating for those who want to explore alternative ways of recovering the past. They allow historians to follow the complex juxtaposition of different rhythms of time—individual time, family time, historical time—and make possible a much-needed nonlinear non-Eurocentric approach to history: that is, an approach that does not assume an inexorable movement forward towards a Western model of “modernity.”<sup>5</sup>

Finally, family history directly interfaces with the three major prestige zones that have dominated intellectual production in Middle East Studies over the past two generations: Islam, gender, and modernity.<sup>6</sup> In all three, notions of family and household are omnipresent, but they remain in the background and float in and out between the lines in the form of assumptions that privilege some arguments and silence others. The very structure of this anthology makes the point that there is a need for a critical reassessment of scholarship in these three prestige zones in light of historically grounded studies on family life.

The Middle East contains diverse regions with long and rich histories.<sup>7</sup> This anthology remains within the bounds of the early modern and modern periods (the seventeenth century to the twentieth), and of the Arab heartlands of the Ottoman Empire—Greater Syria and Egypt—as well as Iran. Those readers familiar with the literature on European family history will immediately notice that the basic approaches discussed by Anderson (1980)—demographic, sentiments, and household economics—are represented here. For example, two of the studies utilize family reconstitution techniques to analyze census data for large urban populations (Cairo and Damascus). Two other articles deal with the political economy of households on the village level as a way to get at the historical evolution of marriage and property devolution strategies. Still another examines the meanings of gold jewelry in relations between spouses and between women and their natal kin. Most of the contributions, however, do not fit neatly into these three basic approaches.<sup>8</sup> This is a healthy sign, for the growing interest in family history in Middle East Studies, while mindful of the literature on this topic generated in the United States and Europe, is taking place within a historically specific set of intellectual trajectories and relies on different types of sources. The contributions to this volume must be seen in light of these two larger contexts.

### Invoking the Family

Family is frequently invoked, but is rarely historicized. In public debates, society is family writ large—that is, family is deployed as a metaphor. Aside from the closely related concept of “woman,” family is the most commonly used trope for communicating visions of the past and hopes for the future or, put differently, for expressing ideological positions about how society has been organized and how it should be properly ordered.<sup>9</sup> In this particular lineage in the use of the word, family is packed with meanings but emptied of historical substance. Consequently, it is talked about in monolithic terms—as evident by the prefixes Arab, Muslim, or Mediterranean—and framed monochromatically as either traditional or modern.

In scholarly writings, a long-standing and pervasive notion is that Middle Eastern societies are family-based, the implication being that modernity constitutes a leap forward to societies based on the individual.<sup>10</sup> While this may sound similar to the position that society is family writ large, it actually involves a move in the opposite direction: a detailed inquiry about the contemporary place of family and, especially, kinship in society. The development of this second lineage in discourses about the family began with ethnographers and anthropologists. Their

writings provided the first and most detailed descriptions of social practices and cultural norms in specific locales, usually from the perspective that these are expressions of two ordering principles: family and religion.<sup>11</sup> Family is also a primary concern for sociologists, economists, demographers, and political scientists anxious about trajectories of future developments in the region. Using new tools developed in their respective disciplines (such as surveys and statistical techniques), they linked studies of family relations and household structures to the issues of the day: modernization, political mobilization, and economic development. Unlike ethnographers and anthropologists, however, their main focus was on large urban populations, especially in the coastal cosmopolitan cities where they expected to find the greatest changes as a result of the intensive encounter with European culture and economy.<sup>12</sup>

In both popular and scholarly discourses, the assumption that a monolithic traditional family type constituted the bedrock of Middle Eastern societies for centuries and the pervasiveness of a master narrative of linear evolution from primitive extended group to modern nuclear family help explain the lack of interest in family history. This is not, by the way, a phenomenon peculiar to Middle East Studies. The same situation obtains in South Asian and Chinese studies.<sup>13</sup> In all three cases, a traditional family type was invented in the nineteenth century—the Joint-Hindu family, the extended Chinese family, and the patriarchal Middle East family—and much ink was spilt over its ills or advantages as well as about how its inevitable transformation ought to be managed.<sup>14</sup> In all three regions, moreover, the most insightful writings about family life—whether of affective ties, conflicting interests between family members, relations between kin, and the role of family in society—have been those of novelists. Naguib Mahfouz's trilogy (*Palace Walk*, *Palace of Desire*, and *Sugar Street*) is a classic example. Indeed, one is hard pressed to think of any novel published over the past century in which family was not a central concern. But even in this realm, and despite the great sensitivity and complexity in the way the family is dealt with, most narratives mulled over the problems of intensifying social fissures and conflicting loyalties as ideas about conjugal love, more democratic relations between parents and children, individuation, and other dimensions of the stereotypical modern family began to loosen the grip of the traditional patriarchal household.

## Historicizing the Family

It is not a coincidence that family history as a field of study came into its own in the 1970s, for that is precisely when the larger enterprise of social history was at the peak of self-confidence and influence in the

Western academy. By then, increasingly sophisticated quantitative and qualitative methodologies, mostly borrowed from sociology and economics but also drawing on theoretical debates in anthropology and comparative literature, were already being used with stunning effectiveness to recover the history of ordinary people and marginalized groups—workers, peasants, women, slaves—in stark contrast to the hitherto myopic and often politically conservative focus on elites and their institutions. With (perhaps unjustified) optimism, social historians took on the notoriously difficult concepts of family and household and waded neck-deep in massive, yet diverse and uneven, archival sources. Their goal: to explore the connections between Europe's transition to modernity (the rise of the modern state, capitalism, industrialization, and the like) and the inner workings of social life on the micro level, the latter seen as both a reflection of and an agent in shaping the Big Picture.

The early findings were as startling as they were unexpected. The nuclear family is not a product of the industrial revolution; it pre-dominated long before. The processes of modernity did not lead to the destruction of the extended family in industrial cities; rather, they led to an increase in co-residence with extended kin. The age of marriage prior to industrialization was late, not early as commonly believed. Family size was small, not large; and mobility was substantial, not limited.<sup>15</sup> Kinship relations became more, not less, important in the nineteenth century, and were cemented by sharply increased rates of repeated endogamous marriages, especially between cross-cousins.<sup>16</sup> These are but some of the findings that propelled family history into a major field of inquiry and laid to rest grand theories about family in the past and about the impact of modernization.

Most of the above findings were distilled through family reconstitution techniques applied to masses of hitherto untapped sources, such as parish registers, that allow for in-depth analysis over long periods of time.<sup>17</sup> These techniques were developed by French historical demographers in the mid-1950s and used extensively by the Cambridge Group for the History of Population and Social Structure, established in 1964. Arguments still rage about the interpretations and the generalizability of these findings, not to mention the Eurocentric questions that drive them. But two things are clear: pervasive myths about linear evolution are now replaced by a large and ever-growing data base amenable to comparative analysis; and, for the first time, the discussion is about the family life of the mass of ordinary people, not just elite groups.

Middle East Studies seems to be at a disadvantage here in terms of sources, especially when it comes to the demography and political

economy of households. There are no archives that come close to what is available in some parts of Europe, especially England, France, and southern Germany. True, the Ottoman state had a love affair with paper, and its bureaucracies produced massive amounts of documents, but its far-flung territories and its pragmatic policy of rule through local intermediaries—the latter of which endowed it with flexibility and, by any measure, amazing longevity—ruled out for the most part the kind of minutely detailed surveillance used to construct an official memory by states and principalities in some European regions. This is especially true for tribal areas, villages, and provincial towns. To take one example: census counts that use the individual as the basic statistical unit were not conducted by the central Ottoman government until the end of the nineteenth century. Prior to that time, periodic cadastral surveys based on the household as the statistical unit were carried out, but there are huge gaps over the centuries. With the exception of Egypt, we know of no consistent or comprehensive sources that allow for comparative analysis within the empire, much less with other regions prior to 1885.<sup>18</sup>

## Family and Household

In this context, the 1848 census carried out in Cairo—which is based on the individual as the statistical unit of analysis, and which provides our first opportunity to make generalizations about an entire urban population, not just its elites—takes on a special significance. In his contribution to this volume, Philippe Fargues, a French historical demographer, presents the findings of an analysis based on family reconstitution of this census. He makes three fundamental points. First, in terms of residential living the nuclear (or conjugal) family household predominated over every other form. In addition, female-headed households constituted a significant part (15.9 percent) of the total number of households. Second, and more important, he shows that the most salient feature of the typical family in the largest Arab city at the time was extreme volatility. Short life-spans, high rates of infant and child mortality, and the dislocations caused by a state that faced a manpower shortage in its military, agricultural, and industrial projects—all brought about a high degree of mobility and a rapid rotation in the life cycle of individuals. For example, 70 percent of boys between 10 and 14 were separated from their parents either because both father and mother had already died or because these boys had already left home. Prior to the age of 10, it was not unusual for at least one of the parents to be dead, and to know one's grandfather or grandmother was rare. This placed severe restrictions on the extent and depth of

relations within the conjugal family and drastically reduced the incidence of large, extended families.<sup>19</sup> Third, he argues that the individual was not dissolved in kinship as commonly assumed. Rather, she or he existed, often precariously, in rapidly changing sets of domestic contexts that intimately involved both kin and non-kin. All of this is made more complicated by the fact that the experiences of each individual in terms of household composition, residential location, marriage age, fertility, education, and so on differed widely depending on sex, class, occupation, religious sect, and a number of other factors.

Can one generalize the demographic patterns of one city to another within the Ottoman domains, or was each city or region unique? Tomoki Okawara shows that the latter may be true. In a painstaking quantitative analysis of household structures in late-Ottoman Damascus, he compares his findings to those of Alan Duben and Cem Behar, who published the first book on family history in Middle East Studies, *Istanbul Households: Marriage, Family, and Fertility, 1880–1940*. Following the example and methods of the Cambridge Group, Duben and Behar undertook a quantitative analysis of the rich censuses of 1885 and 1907, which provided for the first time substantial information on every individual, not just general information about households. They also drew on the ideas and methods of Philippe Ariès and other icons of the sentiments approach to family history in order to put flesh on the bones of the census. Newspapers, magazines, novels, biographies, and private letters, as well as “retrospective interviews,” were used to discuss values, meanings, and affective relations within households.<sup>20</sup> Their conclusions (minus the nuances): the median family form was the simple conjugal household, average household size was small, fertility rates declined, marriage age was already late for men and became later for women, and family planning was practiced. This led them to argue that Istanbul was unique within the Ottoman Empire, and did not even belong to the rest of Anatolia.<sup>21</sup>

Based on the same 1907 census, but centering on the city of Damascus, Okawara’s analysis presents a rather different picture: the typical Damascene household was large in size and complex in structure. This is reflected in and is perhaps an outcome of the high proportion of multiple-family residences, the sheer size of the pervasive Damascene courtyard-house, the relatively high rate of polygyny, and the multigenerational character of households. Okawara is quick to point out that his empirical description of household structures at one point in time raises more questions than it answers. He calls for further research on demographic issues (such as fertility rates and marriage patterns) and on the specific historical context of Ottoman

Damascus. At some point, in other words, the statistically based categories of historical demography have to be connected to specific families and social groups whose history can be traced over the long term.

In this respect, elite groups left far more traces for the historian to follow, allowing for a wider range of stories. Mary Ann Fay's discussion of the transformation of elite Egyptian households from large and complex structures in the late eighteenth century to ones in which the values (if not necessarily the practices) of simple nuclear family forms prevailed by the early twentieth century is the mirror opposite of Fargues's and Okawara's projects. Hers is a story about process and agency rather than structure and form. Instead of reconstituting a general picture about family life from an immense database of an entire urban population at one point in time, she follows the transformations in the political economy of the upper crust of Egyptian society over the course of two centuries. The question that Fay outlines a tentative answer for is this: Why did elite Egyptian women, especially those like Huda Sha'rawi who were instrumental to the creation of the first feminist movement in the modern Arab world at the turn of the twentieth century, become champions of what she calls the "Western-style" nuclear family?

Fay begins by dismissing as teleological the two approaches she sees as pervasive in studies of the women's movements in Egypt: modernization and Westernization. The first posits that Egypt's incorporation into the European-dominated world economy naturally leads to the rise of a nuclear family, while the latter privileges a process of cultural borrowing by an elite heavily influenced by European models of family life. Fay suggests an alternative explanation that endows elite women with a form of historical agency. Simply put, she argues that elite women in the eighteenth century enjoyed significant social and economic power as well as autonomy and influence within ruling Mamluk households that operated in a decentralized political environment. The rise of a modern centralized state broke the back of these households and replaced them with a modern army and a bureaucracy. Consequently, this diminished the status and power of elite women, cut off their access to economic enterprises, and undermined their influence over, as well as the importance of, the marriage strategies that had long been central to the solidarity of these households. She then sketches out a biography of Huda Sha'rawi to suggest that she and women like her began to valorize the conjugal family in order to strengthen their position within the household, to carve out a role in public political life, and to gain access to education and work. The merits of this argument remain to be tested. As Fay notes, we do not have as yet a systematic study of the social history of elite Egyptian



women in the nineteenth century. Still, Fay's approach may add an important historical dimension to gender studies in the Middle East, in that she makes a direct connection between the political economy and spatial organization of the household as a unit of analysis, on the one hand, and the particular fields of experience of women within these households, on the other.

### *Family, Gender, and Property*

Until fairly recently, the relationship between family history and gender studies has oscillated between tension and estrangement.<sup>22</sup> It is only fitting, perhaps, that marriage, more than any other issue, dominates the growing number of works that seek to integrate these two approaches. All three articles in this section explicitly take marriage as a point of departure for analyzing the relationship between gender and property within the context of a long-term perspective on family and kinship. The different approaches and methodologies employed point, at the same time, to the rich possibilities for pushing family history and gender studies towards a mutually gratifying embrace.

Erika Friedl brings to bear thirty-five years of ethnographic research among the Boir Ahmadi, a tribal Luri-speaking Shi'ite people in the southern Zagros Mountains in Iran, in a sweeping account of changes in marriage strategies in a single village, Deh Koh, over a period of 110 years (1880–1990). Hers is a materialist approach that is concerned with and persuasively argues for a direct connection between changes in marital customs and relations—such as wedding ceremonies, bride-price, expectations the bride and the groom have of each other, parental influence in the choice of partners, and the division of labor within the household (and with it, gender identity)—to changes in forms of property holding, in relations of economic production, and in political struggles both within the village and between it and the state over control of the surplus. This richly detailed study transports the reader into the inner world of Deh Koh and shows the myriad of ways that both the ideology and praxis of marriage were fundamentally transformed by the 1960s, when most of its residents became small landowners and wage laborers.

The relationship between marriage strategies and property is inextricable, especially if one is concerned not only about larger economic forces, but also with inheritance practices, bridal gifts, and the reproduction of family relations in general. The literature on these issues is substantial in Middle East Studies, but the article by Martha Mundy and Richard Saumarez Smith on peasant households in a Jordanian village from 1880 to 1940 raises the bar for standards of empirical

depth and theoretical rigor. On the surface, theirs is a study of the place of *mahr* (the dower) in social exchanges within a network of kin and between households over time. The idea is to tease out the differences and reveal the connections between legal prescriptions, registration procedures by the state, and actual practices of property devolution. But this only opens the door to a series of arguments on two levels. The first is a theoretical intervention that engages Lévi-Strauss's structuralist model about the exchange of brides. Mundy and Smith use a formidable array of sources—oral history, Islamic and civil court records, Ottoman *tapu* and *nufus* records, and documents from the Mandate cadastre of the Emirate of Transjordan—to reconstruct three case studies of exchanges, which demonstrate how brides permit the economic individuation of the groom by producing not only objects, but also persons; hence, the futility of separating the two in social analysis of the household. The second level is a historical discussion based on the premise that, as Mundy and Smith put it, "Between the abstract categories of law and the concrete practices of property and gender stand living persons." They show that historical time, in itself a collision and interaction between three histories—accidents of demography, family property transmission strategies, and endowment of marital alliances—did not always mesh with individual time and archival time. This led to forms of agency characterized by plurality and tension, as women's claims to properties that both state law and their marriage contracts promised them were pursued with greater assertiveness.

Annelies Moors also writes about the relationship between marriage and property through the lens of bridal gifts—in this case, gold jewelry. Like Mundy and Smith, she uses archival and oral sources that span a long period of time (1920-90) in order to problematize the issue of agency and to explore the ways that woman, property, family, and kinship are constructed through social exchanges. In a similar vein, she argues that studies of inheritance practices and family reproduction strategies must distinguish between different forms of property as well as the changing meanings of a specific form of property over time. Thus positioned at the crossroads of women's history and family history, this article investigates at which moments, in what contexts, and under which conditions men and women identify with, construct, and contest the meanings of family. In a fascinating narrative, Moors argues that the changing preferences for styles of gold jewelry (*baladi*, Italian, and Gulf) speak volumes about differences between women depending on class and location (rural or urban), as well as about notions of love, the nature of the relationship between husband and wife, and the economic strategies of women. She con-

cludes that although there was considerable change in marriage arrangements and in the meanings ascribed to gold jewelry, the inheritance strategies of women remained by and large the same. This is especially true in the ways that women often exercised their agency by refraining from claiming their legal inheritance in favor of their brothers. As Moors points out, this provides them with more negotiating space within their natal families and, with the growing emphasis on conjugality, partially balances their dependence on husbands who were increasingly becoming the sole bread winners.

### *Family and the Praxis of Islamic Law*

It is not a coincidence that all three articles in the section on family and gender are by anthropologists. After all, these topics have been a key concern of this discipline before most historians took them seriously. But there is another reason: to integrate gender studies into family history or vice versa requires greater emphasis on relations between family members and a partial move away from family or household as an indivisible unit of analysis. The often conflicting inner world of family life and the differential positioning of family members within a single household acquires as much or greater significance than a focus on household structures with a view to building a taxonomy of family types that are then plugged into some larger social process evolving in linear time.<sup>23</sup> This is especially true if one views family as both the crucible for and the product of the social constructions of kinship, property, and sexual difference.

Getting a sense of the inner world is not easy for historians who study pre-twentieth-century societies. Oral interviews and field observations are severely limited if not impossible. In addition, and unlike the situation in Europe and the United States, there is precious little by way of memoirs, private correspondences, novels, paintings, and other types of sources that lend themselves to this kind of analysis prior to the mid-nineteenth century. Needless to say, the sources become even more drastically limited the farther back one goes in time. There are other sources, to be sure, but they have yet to be systematically interrogated. These include biographical dictionaries; compilations of legal responsa (*fatwas*) by legal experts (*muftis*); manuscripts on law, theology, history, and other matters by local religious scholars; private family papers; objects of material culture; and the built environment of houses, markets, mosques, baths, streets, and other types of structures, some of which date to the Mamluk era and even before.

Still, the records of Islamic courts, which operated in all the major cities and provincial towns, have become recognized as the richest

archival resource for the social and cultural history in general and family history in particular for most regions in the Middle East and North Africa during the Ottoman era. As the key state institution in charge of matters relating to personal status and property and as a public records office of sorts, the Islamic court was resorted to on a daily basis by countless numbers of Ottoman subjects: rich and poor, men and women, young and old, Muslim and non-Muslim, powerful and weak, and everything in between. There they registered the purchase and sale of property; the endowment of *waqfs*; and the particulars of marriage contracts, divorces, probate inventories, commercial dealings, custody of children, and so on. The court also adjudicated in civil and criminal lawsuits and made official legal settlements of all kinds, such as the division of properties and payments of debts. This is but a sampling of what can be a daily record of a massive interaction between people and the principal legal arena for negotiating property access rights, public morality, kinship relations, and lines of authority both within and between (mostly propertied) urban families.

Historians have latched onto the Islamic records in a feeding frenzy since the 1970s, but the harder they have tried to squeeze them for content, the more aware they have become of the tremendous methodological difficulties involved. One set of problems is largely technical: the records are massive, yet they are fragmented in terms of structure and time periods covered; moreover, they are geographically scattered, unindexed, and often in a state of confusion. As of yet, we do not have a firm grasp of a comparative topography of these records: i.e., the types of cases registered, the way such cases are summarized, the procedures followed, the personnel involved, and the social groups represented, to mention but a few variables. This is to say nothing of two other larger problems. First is the angst and nail-biting sweeping the academy when it comes to the issues of form and content, text and context, structure and agency. An anthropology of archives that focuses primarily on literary analysis is slowly emerging and poses a serious challenge to the work of most social historians.<sup>24</sup> Second, legal history in the full sense of the word is just beginning to breach the fortresses of Islamic Studies. The social history of the production of legal norms, studies of specific groups of religious scholars over time, and intellectual history on both the popular and elite levels still have a long way to go.<sup>25</sup> Consequently, historians who rely on court records as a primary source often have to operate in a dimly lit world, especially if they focus on provincial towns, the histories of which have yet to be systematically investigated.

The significance of the three articles on family and the Islamic court lies in their tentative attempts to address these theoretical

and methodological challenges through specific case studies. Iris Agmon takes on the problems posed by the fact that the court cases that the historian reads are usually paragraph-long summaries of what could be several documented court sessions. As far as we know, pre-summary documents were not officially kept (if they did exist) prior to administrative changes by the central Ottoman state in the 1870s. Agmon, who found records of protocol sessions in the courts of Haifa and Jaffa in Palestine dating to the late nineteenth century, tracks the changes in the process of document production over time (diachronically) and between the two courts (synchronously) and compares them to the summaries. She argues that the new procedures led to an intensification of the encounter between individuals and the court and provided greater scope for that institution to inscribe a legal notion of family. Through a gripping case study of several lawsuits between an estranged couple, Agmon skillfully elucidates the critical role of the court in mediating family relations and the possibilities of agency (especially for women). She does this by following how litigants negotiated court procedures, faced a new breed of judges, and dealt with a growing group of professional lawyers—all in the context of unprecedented intervention in domestic life by a centralizing state and the rapid demographic change and integration of these two cities into the world economy.

As previously mentioned, using court records demands at least a double reading. Historians can scour the contents of cases for information about specific individuals, families, social groups, events, and practices of daily life. At the same time, they need to consider the narrative patterns of the stories likely to be discursively authorized by the Islamic court records as a specific kind of archive. In my comparative analysis of lawsuits between kin litigated in the Islamic courts of Nablus (Palestine) and Tripoli (Lebanon) during the early eighteenth and the first two thirds of the nineteenth century, I attempt such a double reading in order to understand the mutually constitutive relationship between kin and court. On the one hand, kin partially defined the role of the court as a social institution, shaped its archives, and influenced the praxis of Islamic law by resorting to it in great numbers as a forum to enact, among other things, legally sophisticated property devolution strategies. On the other hand, the discursive structures of Islamic legal norms, the legal procedures of a state-sanctioned institution, and the active authority of the judge set the parameters and the ground rules for negotiations between kin. By applying two methodologies of scale: a micro analysis of two sets of lawsuits between kin, and a macro analysis of the changing patterns in lawsuits over time and across space, I make some tentative generalizations

about how a textual memory is constructed and about the ways in the which the Islamic court is used as an arena for the reconfiguration of family relations and household structures.

Through a case study of a single lawsuit in seventeenth-century Tripoli, Heather Ferguson examines notions of family and personhood in legal discourses. Hers is essentially a methodological intervention on how one can read and deploy historical documents in constructing narratives about the past. Ferguson throws down the gauntlet to conventional readings of court documents as expressions of social reality and draws on theories of practice and performance to argue for a three-tiered analysis that synthesizes text, context, and the labor of the historian. First, there is the key moment of litigation, which can be understood as a cultural performance that both reproduces and transforms communities and persons. Second, there is the moment of writing the summary document by the court, which can be analyzed as a process or specific structure of ideological production that has its own local history. Third, there are the ways in which the very deployment or reading of documents by historians becomes part of the document's own history or field of production. This multidimensional approach reinforces the call for a relational understanding of concepts such as family, household, and property that are often naturalized in social analysis and engages wider theoretical debates in other fields of study.

### *Family as a Discourse*

The pervasive use of "woman" and "family" as tropes in discourses about modernity and the role of the state in society has attracted increasing attention by historians, especially those interested in family as both a cultural ideal and a lived reality. This requires combining discursive and materialist modes of analysis. Ken Cuno employs precisely such a methodology to show that the apparent switch by the khedival household in nineteenth-century Egypt from concubinage and harem life to monogamy, companionate marriage, and a public role for women was riddled with ambiguities. He argues that this transition was not the result of changing attitudes precipitated by Westernization, as has long been assumed, and that there is no foundation for the view that the khedival household, by consciously embodying the ideals of modern family life, had any significant influence on modes of domesticity among the Egyptian middle and upper classes. Rather, the very public switch, if one can call it that, must be seen as but one dynastic strategy of reproduction in the larger contexts of the political culture of the Ottoman ruling classes, as well as in the specific Egyptian context of internal power struggles within the household,

economic changes (especially the bankruptcy of 1875), and the British occupation of 1882. The ambiguity is generated by the fact that the pronouncements, public rituals, and media campaigns of the khedival household about its modern family goals were expressed in two different registers: one targeting Western powers and observers and the other geared towards local public opinion. To complicate matters further, the former were mired in a terrible misunderstanding of the actual operations of the khedival household due to their own pervasive discourses on the harem and slavery. Thus, Europeans considered this switch a significant departure. As to local public opinion, the Egyptian press, with the blessing of the khedives, cast it in terms of closer adherence to traditional Muslim family values. This, in turn, was not a cost-free message, as the actual private behavior of the khedives lived up to neither image.

Akram Khater adds the Lebanese case to the growing literature on women and the family as metaphors in debates on modernity at the turn of the twentieth century, but with two twists. First, he follows contemporary discussions in the press about marriage, the proper role of women, and attitudes towards raising children not in Lebanon itself, but among immigrants from Mount Lebanon in the United States. On one level, he argues that their experience with "modernity" did not lead to predictable conclusions as to what constitutes an ideal family and that the changes in family structures cannot be easily plotted on linear continuums of public to private and of extended to nuclear. On another level, he shows that their vigorous discussions were carried out in the context of and were influenced by an ongoing discourse in the United States itself about how immigrants must become assimilated into the cultural ideal of a white Anglo-Saxon middle class. The second twist is a methodological intervention about what it means to write a "history" of family when the reality of individual lives is much too messy and diverse to fit into neat analytical boxes of ideal family types. This mirrors the obvious disconnect between the ideals articulated in newspapers and the actual experiences of daily life, such as those of thousands of Lebanese women who fanned out all over the United States on their own, peddling wares from house to house and from one small town to another.

## Thinking Family History

The articles in this anthology suggest some possible approaches for the study of family history in the Middle East and indicate both the potential and limitations of available sources. Those that emphasize structural demographic analysis disabuse us of the notion that there is

some universal traditional family form. Rather, they suggest that there was a broad range of family arrangements, both within a single urban center and between them. This is but the tip of the iceberg. Reconstituting family history from the mountains of largely untapped quantitative data available for cities, towns, and villages since the 1500s is a daunting but essential task. Another challenge is to produce indepth case studies of specific families and social groups over long periods of time in order to make linkages between family life and the changing political economies, cultural dynamics, and intellectual environments of the various regions in the Middle East. Only when substantial progress has been made on both fronts will we be able to make some useful generalizations about significant changes in the history of family life over the past few centuries.

It is no surprise that most of the articles in this anthology are concerned with the issues of women, gender, and property. In Europe and the United States, family history and gender studies developed fairly independently of each other, and each constitutes a major field in its own right. In Middle East Studies, the field of family history, insofar as it exists, developed at the margins of the much larger and already well established fields of women's history and gender studies. This is why the overriding concern in these articles, regardless of approach, is with the possibilities and strategies of agency. What they show is that family is a fluid amalgam of different fields of experience for differently situated members, and that there is room for a variety of strategies by women, some of which maybe be counterintuitive, but not any less effective. Especially revealing in this regard is the complex relationship between gender and property, both of which can be shown to be socially constructed and mutually constitutive. Indeed, the most significant contribution of family history might very well be the fact that it is best situated to analyze the kinship/gender/property matrix as a complex whole that can only be disaggregated at our peril.

It is not easy to focus on complex wholes. Indeed, researching and writing on family history is a bit like taking a journey into the center of the galaxy: the closer one gets to the event horizon of the enormous black hole around which everything revolves, the more difficult it is to use conventional categories of knowledge to make generalizations about how our world is reproduced and transformed in historical time. This generates ambiguities, tensions, and dilemmas that cannot be resolved through attempts at definitional clarity or stable taxonomies. Rather, the reward lies precisely in the messiness of family history and its conduciveness to the formulation of questions that can enrich and build bridges between approaches, disciplines, and areas of study—not to efface, resolve, or essentialize difference.



## Notes

All of the contributors to this anthology, with the exceptions of Philippe Fargues and Heather Ferguson, presented papers at an international conference, "Family History in Middle Eastern Studies," held at the University of California, Berkeley, 7–9 April, 2000. The Center for Middle Eastern Studies, the Al-Falah Program, the Andrew Mellon Foundation, the Department of History, and the Townsend Center for the Humanities funded this conference. Heather Ferguson and Adrian McIntyre helped with the logistics. Soraya Altorki, Tulay Artan, Jamila Bargach, Beth Baron, Donald Cole, Colette Establet, Mary Hegland, Suad Joseph, Lilia Labidi, David Powers, Martina Reiker, James Reilly, and Sylvia Vatuk also presented important papers based on original research. Unfortunately, and primarily for reasons of limited space, these papers could not be included in this volume. The comparative and theoretical comments by David Sabean, Barbara Ramusack, Linda Lewin, Carol Stack and Cynthia Nelson—who acted as discussants of the various panels—sharpened the focus of the final product. Martin Garstecki, Mitch Cohen, and Christian Schmitz of the Fellow Services Department at the Wissenschaftskolleg zu Berlin helped with manuscript preparation. Heather Ferguson proofread the galleys and Alan Mikhail prepared the index. My dear friend, Marwan, donated the cover artwork and design.

1. For a discussion of the terms "interest" (material, objective) and "emotion" (subjective, sentiments) in the study of family history, see Medick and Sabean 1984. I use the term "referential grid" to emphasize the importance of family as not only a site of praxis, but also as a powerful idea that carries within it the matrix of expectations, rules, obligations, and rights implied in religious, political, legal, ethical, and moral discourses.

2. For general literature reviews see Anderson 1980, and Hareven 1991a. For reflections by prominent family historians and anthropologists, see Hareven 1987 and Netting et al. 1984, respectively. For more specialized reviews see, for example, Yanagisako 1979; Stone 1981; Medick and Sabean 1984; Kertzer 1984; Censer 1991; Rudolph 1992; Faubion 1996; and Bradbury 2000.

3. If the topic is characterized as the study of how and why family forms and/or household structures change over time, scholars of the region cannot claim more than two monographs, both published in the past decade: Duben and Behar 1991 and Meriwether 1999. Of course, there are a number of published articles on family history, as well as a large related literature on kinship, women, gender, Islamic family law, families in politics, and so on. For a few examples of recent scholarship see Green 1981; Schilcher 1985; Fathi 1985; Ortayli 1985; Atran 1986; Mundy 1988, 1995; Gerber 1989; Fernea 1985, 1995; Hathaway 1995; Hatem 1986; Keddie and Baron 1991; Ferchiou 1992; Tucker 1993, 1998; Powers 1993a, 1993b, 1994; Mir-Hosseini 1993; Cuno 1995; Moors 1995, 1998a; Marsot 1995; Sonbol 1996b; Hanna 1998; and Doumani 1998.

4. Anderson 1980, 2–3.

5. Hareven (1991a) outlines the main arguments.

6. For the theoretical significance of prestige zones, see Appadurai (1986). Lila Abu-Lughod builds upon his insight in her review of anthropological literature on the Middle East (1990, 93).

7. Needless to say, "Middle East" is a constructed term that carries a great deal of unwelcome baggage. It is used here purely for convenience.

8. These approaches have become increasingly integrated over the past two decades. Duben and Behar 1991 is one example. The growing influence of gender analysis in family history and vice versa is another. See Anderson 1980, Yanagisako 1987, and Censer 1991.

9. For an insightful analysis see Cole 1981. The debates around women and the family as tropes for modernity became a worldwide phenomenon by the turn of the twentieth century and are intimately connected to the rise of the mass print media. An extensive literature on this topic has emerged over the past two decades. The articles in this anthology by Fay, Cuno, and Khater cite some of the key works.

10. This formulation can be attributed to Le Play's writings in the nineteenth century, which had a profound influence on social analysis in general and views about the family in particular. See Le Play 1982, 76–80.

11. During the nineteenth and early twentieth centuries, ethnographers, driven by a curiosity about what makes the Orient different from the Occident, and convinced that the unchanging essence of the Other is best preserved among groups that had the least contact with the modern world, fanned out into villages, country towns, and nomadic areas. The cultural norms they claimed to be the building blocks of Middle Eastern societies often tell us far more about their worldview than about the people they observed (for example, see Mitchell 1990), although some were very insightful (see, for example, the work of Hilma Granqvist 1931). In any case, the influence of their generalizations was considerable. It was at that moment that traditional society was born and, simultaneously, "scientifically" fixed in a state of stasis. According to Lila Abu-Lughod (1990), the dominant prestige zone in anthropological works on the Middle East is the study of patrilineal kinship (segmentation), mostly among peasants and tribal groups. In these two senses that concern us—the focus on kinship relations (whether as a lived reality or cultural ideal) and on "exotic" locales (hence, the preponderant number of works on Morocco and Yemen)—one can see a direct line of continuity with earlier studies. For a chronological sampling of ethnographic and anthropological works on the family, see Lane [1842] 1978; Jaussen 1927; Chatila 1934; Barth 1954; Beck 1957; Rosenfeld 1958, 1968a, 1968b, 1976; Antoun 1967; Hilal 1970; Khuri 1970; Peristiany 1976; Green 1981; Rugh 1984, 1997; Fernea 1985, 1995; Atran 1986; Brink 1987; Holy 1989; Khalaf 1981; Young and Shami 1993; Moors 1995; Mundy 1988, 1995; and Inhorn 1996.

12. For a small sample of works by sociologists and political scientists, see Daghestani 1932, 1953; Farsoun 1970; Prothro and Diab 1974; Springborg

1982; Barakat 1985; Kandiyoti 1985; Erder 1985; Ata 1986; Hatem 1986; and Singerman and Hoofdar 1996.

13. Until recently, only a handful of articles on these three regions appeared in the two major periodicals concerned with family history (*Journal of Family History* and *History of the Family: An International Quarterly*). A recent Ph.D. thesis argues that a historiography of the family in South Asia does not exist (Hodges 1999, 5–6). I thank Barbara Ramusack for sharing this reference with me. For a sampling of works on family in South Asian studies see Shah (1974, 1998); Kolenda 1996, (originally published 1968); Minault 1981, Gray and Mearns 1989, Vatuk 1990, and Uberoi 1993. For China, see Baker 1979; Chao 1983; and Johnson 1983.

14. An insightful attempt to deal with this issue within its own frame of reference is Sharabi 1988.

15. Hareven 1991, Anderson 1980.

16. Sabean 1998.

17. For an overview, see Plakans 1984.

18. Duben and Behar 1991, 15–16. It is certainly possible that new sources will be discovered and, more important, that new techniques will be developed to deal with the specific character of existing archives. In any case, the potential of available sources is enormous and just beginning to be tapped in a systematic manner.

19. This preliminary portrait very much fits the description of Le Play's third form of ideal family type, which he described in the mid-nineteenth century as typical of urban manufacturing areas in Europe. Le Play 1982, 79–80.

20. Duben and Behar 1991, 15–22.

21. *Ibid.*, 239–48.

22. Louise Tilly 1987 set out the problem. For a sophisticated effort to integrate kinship and gender analysis see Sabean 1998. For the Middle East, see the anthologies by Keddie and Baron 1991 and by Sonbol 1996b.

23. For an insightful discussion of this issue, see Sabean 1990, 97–101.

24. See Messick 1993, 1995; and Qattan 1994, 1996. See also the article by Ferguson in this anthology.

25. See Johansen 1996, 1999; and Hallaq 1998.